

**ASSEMBLY BILL**

**No. 1867**

**Introduced by Assembly Member Vargas**

February 3, 2004

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An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1867, as introduced, Vargas. Unemployment insurance.

Under existing law, unemployment compensation benefits are based on wages paid in a base period that is calculated according to the month within which the benefit year begins. Existing law establishes alternative definitions of base period for claims filed for which a valid claim or benefit year cannot be established under the currently defined base period.

This bill would delete those alternative definitions that are obsolete.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1281 of the Unemployment Insurance  
2 Code is amended to read:  
3 1281. (a) An individual cannot establish a valid claim or a  
4 benefit year during which any benefits are payable unless during  
5 his or her base period:  
6 ~~(1) For new claims filed with an effective date beginning on or~~  
7 ~~after January 1, 1990, and prior to January 1, 1991, he or she has~~  
8 ~~met one of the following conditions:~~

~~(A) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than one thousand two hundred dollars (\$1,200).~~

~~(B) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than nine hundred dollars (\$900) and been paid wages for employment by employers during his or her base period equal to 1.25 times the amount he or she was paid in this same quarter.~~

~~(2) For new claims filed with an effective date beginning on or after January 1, 1991, and prior to January 1, 1992, he or she has met one of the following conditions:~~

~~(A) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than one thousand two hundred fifty dollars (\$1,250).~~

~~(B) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than nine hundred dollars (\$900) and been paid wages for employment by employers during his or her base period equal to 1.25 times the amount he or she was paid in this same quarter.~~

~~(3) For period, for new claims filed with an effective date beginning on or after January 1, 1992, he or she has met one of the following conditions:~~

~~(A)–~~

~~(1) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than one thousand three hundred dollars (\$1,300).~~

~~(B)–~~

~~(2) He or she has been paid wages for employment by employers during the quarter of his or her base period in which his or her wages were the highest of not less than nine hundred dollars (\$900) and been paid wages for employment by employers during his or her base period equal to 1.25 times the amount he or she was paid in this same quarter.~~

~~(b) Except as provided by subdivision (c) of this section, the maximum amount of unemployment compensation benefits~~

1 payable to an individual during any one benefit year shall not  
2 exceed the lower of the following:

3 (1) Twenty-six times his or her weekly benefit amount.

4 (2) One-half the total wages paid to the individual during his or  
5 her base period.

6 (c) If the maximum amount computed under subdivision (b) is  
7 not a multiple of one dollar (\$1) it shall be computed to the next  
8 higher multiple of one dollar (\$1).

9 (d) For the purpose of this section and Section 1280, in  
10 determining wages paid, “wages” includes wages due to any  
11 individual but unpaid within the time limit provided by law.

